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PP RUEHMA RUEHPA
DE RUEHUJA #3008/01 3211204
ZNR UUUUU ZZH
P 171204Z NOV 06
FM AMEMBASSY ABUJA
TO RUEHC/SECSTATE WASHDC PRIORITY 7834
INFO RUEHOS/AMCONSUL LAGOS 5556
RUEHZK/ECOWAS COLLECTIVE
RUEHRO/AMEMBASSY ROME 0379
RUEHDK/AMEMBASSY DAKAR 0317
RULSDMK/DEPT OF TRANSPORTATION WASHDC
RUEANHA/FAA NATIONAL HQ WASHINGTON DC

UNCLAS SECTION 01 OF 02 ABUJA 003008

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DOT PASS TO FAA
ROME PASS TO TSA REP JOHN HALINSKI

E.O. 12958: N/A
TAGS: [FAIR](#) [CASC](#) [AMGT](#) [ASEC](#) [NI](#)
SUBJECT: NIGERIAN AVIATION ROUNDUP

REF: ABUJA 2941

¶1. (U) Summary. A five-member team from the International Civil Aviation Organization (ICAO) arrived in Nigeria on November 8 to audit the country's aviation industry over a 10-day period. Nigerian President Obasanjo signed a new civil-aviation law on November 16 to improve the country's aviation standards. The law limits ministerial powers during emergencies and provides for a Nigerian Civil Aviation Authority autonomous from the Ministry of Aviation (MA). On the morning of November 10, one person was killed and three others injured in a helicopter crash near Warri. On November 13, the MA banned all night flights by helicopters. End Summary.

ICAO Team Surveying Aviation Industry

¶2. (U) A five-member team from the ICAO arrived in Nigeria on November 8 to audit the country's aviation industry. Over 10 days, the experts will visit aviation institutions and facilities throughout the sector, ICAO officials told the media. The ICAO said it would validate the safety oversight conducted by the Nigerian Civil Aviation Authority (NCAA). An ICAO document said the inspection would take into account factors including the results of previous audits and accident-incident rates. The current audit is expected to cover Nigeria's aviation legislation, operating regulations, the structure of its civil-aviation administration, and safety-oversight functions, the media reported. Other areas the ICAO will examine are technical personnel qualifications and training, technical guidance materials, licensing and certification obligations, continuing surveillance obligations, and the resolution of safety issues.

Funding For Upgrades

¶3. (U) On November 14, the Nigerian cabinet asked the Ministry of Finance to release 19 billion naira (\$146 million) to enable the MA to upgrade existing airports and to modernize their equipment, as was recommended by a presidential committee early this year. Harold Demuren, NCAA Director General, told the media, "There has been a long decay in the system." He said some airlines could not afford sufficient maintenance, and that the Government of Nigeria (GON) needed more highly trained technical personnel, as well as improvements in areas such as weather forecasting and safety training. Officials also admitted that nearly none of the recommendations issued by a Nigerian panel of inquiry after the 2005 Bellview and Sosoliso crashes have been implemented. Moreover, Nigerian aviation officials suggested that some small domestic airlines will have to merge with larger rivals to ensure adequate

oversight and funds for maintenance.

Obasanjo Signs New Civil Aviation Law

¶4. (U) Nigerian President Obasanjo signed a new civil-aviation law on November 16 to improve the country's aviation standards. The new law defines offenses that endanger safety, enacts penalties for violations, introduces new licensing regulations, and sets up a compensation plan for passengers involved in crashes. The law also limits ministerial powers during emergencies, which is part of efforts to increase the power of regulatory bodies such as the NCAA.

Most importantly, the new law provides for the establishment of a Nigerian Civil Aviation Authority autonomous from the MA.

Watchdog Group Notes GON's Lack of Action

¶5. (U) Efanga Offiong, the acting head of the Nigerian Aviation Safety Initiative (NASI), an industry group seeking higher air-safety standards, on November 16 termed Nigeria's new aviation law a "step in the right direction" but said much more needed to be done. He contended that political interference and corruption meant that some domestic airlines that skimped on safety retained their operating licenses, while political opponents of the government had theirs revoked.

¶6. (SBU) Offiong underscored that corruption, incompetence, and a lack of trained aviation employees meant that air travel in Nigeria had become even more dangerous. (Comment: Two years ago, Offiong's friend and predecessor as head of NASI was murdered after strongly criticizing airlines owned by prominent Nigerians. No one has been convicted of the killing. Nigeria has multiple "vanity" airlines

ABUJA 00003008 002 OF 002

owned by prominent politicians, which have very small fleets. These airlines usually do not have the economy of scale to permit efficient or financially viable aircraft maintenance. End Comment.)

GON Makes Progress in ADC Crash Probe

¶7. (SBU) An investigator with the U.S. National Transportation Safety Board who was in Nigeria reported that the GON had made significant progress in investigating the October 29 crash of ADC flight 53. The U.S. official also said the GON seemed to be committed to determining the cause of this accident and to making substantive changes to prevent recurrences.

GON Restricts Lufthansa, Air France Flights

¶8. (U) New Minister of Aviation Femi Fani-Kayode announced November 13 that the GON had curbed the Air France and Lufthansa flights that had been redirected from Port Harcourt to Lagos while the Port Harcourt International Airport was being repaired. The two companies will no longer be able to operate those flights. He said that as a concession, the Nigerian naval airport in Port Harcourt will be open to restricted daytime flights from those carriers. The number of passengers served on this new route will depend on the aircraft available. While this measure will help business travelers flying to or from Port Harcourt, it is not a solution for other passengers because of the baggage restrictions aboard small aircraft, industry contacts said. The contacts added that these new restrictions likely will put great strain on holiday air travel in Nigeria. Nigeria's air sector experienced considerable difficulties with delayed and canceled flights during the 2005 Christmas season. Fani-Kayode told Air France and Lufthansa officials the GON had made this decision because foreign carriers "hold too much" of the Nigerian market. On November 16, however, Luthansa flew its former Frankfurt-Lagos-Abuja route.

Abuja International Airport Operations Change Hands

¶9. (U) On November 13, the GON concessioned off Nnamdi Azikiwe International Airport in Abuja to the Abuja Gateway Consortium (AGC) for the next 25 years. The private consortium offered \$101.1 million under a deal with Nigeria's Bureau of Public Enterprises (BPE). Under the terms of the deal, AGC is to make an upfront payment of \$10 million before taking over management of the airport in the next three months from the Federal Airports Authority of Nigeria.

¶10. (U) Irene Chigbue, BPE Director General, said the agreement was not an outright sale but rather a public-private partnership that will ultimately transform Nnamdi Azikiwe International Airport into a major business hub in West Africa, as part of an ongoing privatization program aimed at improving transparency and efficiency. She predicted that Nigeria will carry out in 2007 similar concessions for its airports in Port Harcourt, Enugu, Kano, and Lagos. The AGC's bid must be submitted to the GON for its approval before the deal takes effect.

GON Bans Helicopter Night Flights After Crash

¶11. (U) On the morning of November 10, one person was killed and three others injured in a helicopter crash near Warri, the capital of Delta State. The helicopter, an AS 355 Twin Squirrel belonging to the privately owned Nigerian company OAS Helicopters, Ltd., was flying between Lagos and Port Harcourt. The helicopter reported modifying its flight plan due to bad weather in Port Harcourt before losing contact with air traffic controllers. It crashed shortly afterward following a collision with high-tension power cables along the Aladja expressway. On November 13, the MA banned all night flights by helicopters.